

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Respondent,

V.

FIDEL RODRIGUEZ,

Petitioner.

Case No. 3:20-CR-00006-RCJ-WGC

ORDER

Pending before the Court is the Government's Motion for Leave to File Sealed Exhibit, (Dkt. 88). Without a response on file from Defendant Fidel Rodriguez, the Court will presume that the motion is unopposed. *See* Local Rule 7-2(d). For the following reasons, the Court

GRANTS the motion.

The courts of this country recognize a general right to inspect and copy public records and documents, including judicial records and documents. *Courthouse News Serv. v. Planet*, 947 F.3d 581, 591 (9th Cir. 2020). Public access to filed motions and their attachments turns on “whether the motion is more than tangentially related to the merits of the case.” *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1101 (9th Cir. 2016). In this case, the motion for compassionate release is certainly more than tangentially related to the merits of the case. Thus,

the Court applies the compelling reasons standard. *Id.* at 1096–07.

In response to Rodriguez’s Motion for Compassionate Release, (Dkt. 83), the Government seeks to file under seal an exhibit “which includes Rodriguez’s medical records that undersigned counsel obtained from the Bureau of Prisons, and which the government believes will assist the Court in evaluating Rodriguez’s motion.” (Dkt. 88 at 1). Courts in the Ninth Circuit “have recognized that the need to protect medical privacy qualifies as a ‘compelling reason’ for sealing records.” *Moreno v. Adamson*, 2021 WL 76722, at *2 (D. Nev. Jan. 7, 2021); *Abbey v. Hawaii Emps. Mut. Ins. Co.*, 2010 WL 4715793, at *1 (D. Haw. Nov. 15, 2010) (collecting cases). Therefore, the Court finds it appropriate to seal the exhibit containing medical records.

CONCLUSION

IT IS HEREBY ORDERED that the Government's Motion for Leave to File Sealed Exhibit, (Dkt. 88), is **GRANTED**.

IT IS SO ORDERED.

Dated this 21st day of November 2023.


ROBERT C. JONES
United States District Judge